

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

UNITED STATES OF AMERICA, :
: :
v. : :
: : CASE NO.: 7:24-CR-10 (WLS-ALS-2)
ALGERNON A. FLOYD, :
: :
Defendant. : :
: :

ORDER

Before the Court is the Government's Motion to Dismiss (Doc. 76). Therein, the Government moves under Federal Rule of Criminal Procedure 48(a) to dismiss Counts One and Five of the Indictment as to Defendant Algernon Floyd.

Under Fed. R. Crim P. 48(a) the Government may, with leave of the court, dismiss an indictment. A Rule 48(a) dismissal is without prejudice. *See e.g., United States v. B.G.G.*, 53 F.4th 1353, 1368 (11th Cir. 2022) (citing *United States v. Davis*, 487 F.2d 112, 118 (11th Cir. 2022)). Based on the Government's stated reasons, the Court finds good cause to dismiss Counts One and Five of the Indictment (Doc. 1) against Defendant Floyd. Thus, those Counts are **DISMISSED-WITHOUT-PREJUDICE**. The trial in this matter will proceed as to Count Three of the Indictment as previously noticed.

SO ORDERED, this 5th day of February 2025.

/s/ W. Louis Sands
W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT